

03/16/2018 11:15AM FAX

0003/0006

**UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PROCESSED EGG PRODUCTS
ANTITRUST LITIGATION**

**MDL No. 2002
Case No: 08-md-02002**

**THIS DOCUMENT APPLIES TO:
*ALL DIRECT PURCHASER ACTIONS***

**~~PROPOSED~~ THIRD STIPULATION MODIFYING
CASE MANAGEMENT ORDER NO. 24 (ECF NO. 1560)**

WHEREAS, on October 19, 2017, the Court entered Case Management Order No. 24 (ECF No. 1560) ("CMO 24") setting forth a pretrial schedule and dates for trial of Direct Purchaser Actions;

WHEREAS, the Court entered a Stipulation and Order Modifying Case Management Order No. 24 on February 15, 2018 (ECF No. 1588), and a Second Stipulation Modifying CMO 24 on March 1, 2018 (ECF No. 1613);

WHEREAS, the parties are scheduled (i) to file their voir dire, jury instructions, verdict forms, and a joint statement of the case on or before March 30, 2018 (per CMO 24); (ii) to exchange summary exhibits pursuant to F.R.E. 1006 on or before March 20, 2018 (per ECF No. 1588); and (iii) to file their Proposed Pretrial Order on or before April 18, 2018 (with the parties exchanging drafts pursuant to Local Rule 16.1(d)(2)) (per CMO 24);

WHEREAS, the parties have met and conferred and respectfully request additional modifications to the foregoing deadlines:

03/16/2018 11:15AM FAX

0004/0008

(i) The parties would like to file proposed jury instructions and verdict forms on April 13, 2018, which would give the parties time to exchange drafts to see if any agreements can be reached before submission to the Court;

(ii) The parties would like to exchange summary exhibits pursuant to F.R.E. 1006 on April 16, 2018, to permit the parties additional time to determine which summary exhibits they plan to use at trial; and

(iii) The parties would like to file proposed voir dire and the joint statement of the case on April 20, 2018, so that the voir dire and the statement of the case are better informed by trial preparation activities.

IT IS HEREBY STIPULATED AND AGREED:

1. The parties shall file proposed jury instructions and verdict forms on or before April 13, 2018;

2. The parties shall exchange summary exhibits pursuant to F.R.E. 1006 on or before April 16, 2018; and

3. The parties shall file proposed voir dire and the joint statement of the case on or before April 20, 2018, so that the voir dire and the statement of the case are better informed by trial preparation activities.

Date: March 16, 2018

Respectfully submitted,

/s/ Christine C. Levin
Christine C. Levin
DECHERT LLP
2929 Arch Street
Philadelphia, PA 19104
Tel: 215-994-4000
christine.levin@dechert.com

Counsel for Defendant R.W. Sauder, Inc.

/s/ Mindee J. Reuben
Mindee J. Reuben
LITE DEPALMA GREENBERG, LLC
1835 Market Street, Suite 2700
Philadelphia, PA 19103
Direct Dial: 267-314-7980
mreuben@litedepalma.com

*Co-Lead Counsel and Liaison Counsel for
Direct Purchaser Plaintiffs*

03/16/2018 11:16AM FAX

0005/0008

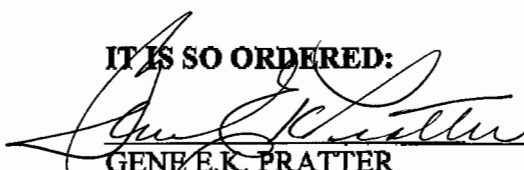
/s/ Jay L. Levine
Donald M. Barnes
Jay L. Levine
**PORTER, WRIGHT, MORRIS &
ARTHUR, LLP**
1900 K Street, NW, Suite 1110
Washington, D.C. 20006-1110
Tel: 202-778-3056
Fax: 202-778-3063
dbarnes@porterwright.com
jlevine@porterwright.com

*Counsel for Defendant Rose Acre Farms,
Inc.*

/s/ Joseph M. Callow, Jr.
Joseph M. Callow, Jr.
**KEATING MUETHING & KLEKAMP
LLP**
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
Phone: (513) 579-6419
Fax: (513) 579-6457
jcallow@kmlaw.com

*Counsel for Defendant Ohio Fresh Eggs,
LLC*

IT IS SO ORDERED:


GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

DATE: March 16, 2018